

MEMORANDUM OF NON-JURY TRIAL

United States District Court

For the Western District of Pennsylvania

Indeck Keystone Energy LLC

Plaintiff

vs.

Victory Energy Operations LLC

Defendant

No. CA 04-325 Erie

HEARING ON Telephonic Status Conference

Before Judge McLaughlin

John K. Giesleson

Christopher T. Sheehan

Appear for Plaintiff

Appear for Defendant

Hearing begun 9:30am on 12-16-05

Hearing adjourned to 9:33 am

Hearing concluded C. A. V.

Stenographer Ron Bench

Clerk: N/A

WITNESSES:

For Plaintiff

For Defendant